

930 STATE AND LOCAL FIREFIGHTING

931 FIRE SUPPRESSION MOP-UP AND PATROL GUIDELINES

A. REQUIREMENTS

1. Fire suppression actions and the allocation of resources in support of suppression actions will reflect the highest priority for firefighter and public safety.
2. Initial attack and extended attack operations will receive highest priority at Preparedness Levels IV and V. Incidents may be directed to release resources on short notice in support of this priority and will be expected to respond within stated timeframes.
3. Wildland fire suppression actions will be selected based, first, on provision for firefighter safety. That satisfied, actions will then be based on minimizing suppression cost, resource loss and environmental damage, consistent with resource management objectives for the values to be protected.
4. Wildland fire suppression strategies cannot be developed in order to achieve resource benefits on state lands.
5. Resource allocation decisions and priority ranking determinations will be based on information reflected in a wildland fire situation analysis (WFSA). Incident management teams may be directed to modify strategies due to resource shortages.
6. Accurate and timely submission of the Incident Status Summary (ICS 209) is essential during the prioritization process and will also affect allocation decisions.
7. **Class A-B Size Fires**--For small and/or non-complex fires (i.e., Class A-B) a written plan is optional. Only the unit fire supervisor or designated representative may determine not to write a plan. Written mop-up and patrol plans are a good tool for communicating planned actions to incident personnel, and are recommended, especially in extended mop-up situations. For multiple small fire situations such as a lightning bust or string of railroad fires, one plan can be written to cover all fires. This plan, however, must address actions required to assure **all** the fires will be aggressively mopped up/patrolled until they are **all 100% dead out**. All written mop-up and patrol plans must be approved by the unit supervisor or his/her designated representative.
8. **Class C and Larger Size Fires**--A mop-up and patrol plan, commensurate for the situation, must be prepared and updated as

necessary for all fires that are Class C or larger in size. The unit responsibility to prepare the plan unless a incident management team is assigned to the fire. The line officer will approve all plans.

B. PRIORITIZATION CRITERIA

1. Life

- a. Protection of human life.

2. Improved Property

- a. Support and assistance to structure fire protection partners under established agreements. Wildland fire suppression agencies, under these circumstances, have the responsibility to prevent wildland fire from spreading into areas of structures and to assist in protecting structures from advancing wildfires. A unified command organization or a coordinated delegation of authority between jurisdictions will normally guide these efforts.
- b. Outside of established local government structure fire departments, or where no structure protection agreements are in place, allocation of suppression resources will be weighed commensurate with natural resource values to be protected.

3. Natural Resources

- a. Wildland fire suppression allocations will be commensurate with the values to be protected.

C. PLANNING

DNRC line officers (Agency Administrators) and incident commanders are authorized to take whatever actions are necessary and economically feasible to maintain control of fires until those fires are declared **100% dead out**.

It is not a requirement that all fires be **mopped up 100%**. Where an approved written plan is in place, perimeter mop-up or other options may be acceptable. The mop-up guidelines contained in the Prescribed Fire Manual (400) are appropriate for use on all fires which are the responsibility of DNRC. DNRC requires that all incident commanders aggressively pursue 100% mop-up of assigned fires unless otherwise directed in a written and approved mop-up and patrol plan.

The primary objectives of all plans are to reduce the risk of escape of DNRC fires to the lowest acceptable level, and to manage needed resources in a manner such that the planned actions are carried out as

efficiently and economically as possible. Plans must be kept current with changing conditions on a daily basis.

All mop-up and patrol plans should take the following items into consideration:

1. Values at risk inside and outside the control line.
2. Current and predicted weather conditions.
3. Site conditions in areas adjacent to the fire (fuels, topography).
4. Access to the fire, travel time, etc.
5. Manning class level, personnel available, etc.

D. SPECIAL CONSIDERATIONS

1. Fires in wildland urban interface (WUI) areas are the highest priority fires for mop-up and patrol actions. WUI fires (even in patrol status) may have priority over initial attack of new fires outside any WUI areas if there is risk of the WUI fire escaping control. Planning for mop-up and patrol for a WUI fire should always consider a worst case weather scenario.
2. It is acceptable to allow landowners/lessees to complete mop-up and patrol of fires resulting from their own actions on their deeded/leased land if risk of escape is minimal. If it is desired to allow a landowner or lessee to perform any of these functions, a written agreement between the landowner/lessee and DNRC is required. The Mop-up and Patrol Agreement (F-915) will contain the following:
 - a. Date.
 - b. Signature of landowner/lessee or designated representative and DNRC Fire Warden.
 - c. List of the actions required of the landowner/lessee and agreed to by both parties.
 - d. The date required actions are to be completed by the landowner/lessee.
 - e. DNRC actions planned, if the landowner/lessee fails to comply with the required actions of the agreement.

- f. Liability statement to let the landowner/lessee know that he/she may be liable for future DNRC costs, if they do not comply with the terms of the agreement.
 - g. Phone numbers and/or contacting procedures for both parties should conditions change that would impact the terms of the agreement (weather front, etc.).
3. Temporary Emergency Appropriations of Water: 85-2-113 (3)
MCA Administrative Rules of Montana - 36.12.105:
TEMPORARY EMERGENCY APPROPRIATIONS
- a. A temporary emergency appropriation may be made without prior approval from the department, but the use must cease immediately when the water is no longer required to meet the emergency.
 - b. A temporary emergency appropriation does not include any use of water for the ordinary operation and maintenance of any trade or business.

932 LENGTH OF COMMITMENT, WORK/REST, AND REST AND RECUPERATION GUIDELINES

The following guidelines have been established for work/rest, length of commitment, and rest and recuperation for all DNRC employees during fire suppression activities. These guidelines apply to DNRC crew, overhead, and support personnel that may be assigned to any suppression activity, whether the responsibility of the state or in support of other agencies.

A. WORK/REST, LENGTH OF ASSIGNMENT, AND DAYS OFF

To maintain safe and productive incident activities, incident management personnel must appropriately manage work and rest periods, assignment duration and shift length for personnel, including casuals (EFF/AD), contracted crews and EERA resources.

To assist in mitigating fatigue, days off are allowed during and after assignments. If necessary to reduce fatigue, the Incident Commander (IC) or Agency Administrator (Line Officer) (incident host or home unit) may provide time off supplementary to mandatory days off requirements. The incident commander has the authority to provide a day off if needed, in addition to mandatory day off requirements.

1. Work/Rest Guidelines

Work/rest guidelines should be met on all incidents. Plan for and ensure that all personnel are provided a minimum 2:1 work-to-rest

ratio (for every 2 hours of work or travel, provide 1 hour of sleep and/or rest).

A 16-hour work shift may include compensable meal periods, but if meal periods are directed and taken, then only 15 hours in a 16-hour work shift will be compensated. Thirty-minute meal breaks do not count as rest periods and may not be used to extend shift lengths.

The Incident Commander or Agency Administrator must justify work shifts that exceed 16 hours and those that do not meet the 2:1 work-to-rest ratio. If 17 hours are recorded, even with meal breaks, then a justification will be documented in the daily incident records; documentation shall include mitigation measures used to reduce fatigue.

Work shifts that exceed 16 hours and/or consecutive days that do not meet the 2:1 work/rest ratio should be the exception, and no work shift should exceed 24 hours. However, in situations where this does occur (for example, initial attack), incident management personnel will resume 2:1 work/rest ratio as quickly as possible.

The Incident Commander or Agency Administrator (Line Officer) must justify work shifts that exceed 16 hours and those that do not meet the 2:1 work to rest ratio. Justification will be documented in the daily incident records. Documentation shall include mitigation measures used to reduce fatigue. The **Documentation of Length of Assignment Extension Requirements** found in **Annex D** of this Manual is an acceptable method of documentation.

The Time Officer's/Unit Leader's approval of the Emergency Firefighter Time Report (F 317 - OF-288), or other agency pay document, certifies that the required documentation is on file and no further documentation is required for pay purposes.

Agency driving policies and special licensing requirements will be followed.

The work/rest guidelines do not apply to aircraft pilots assigned to an incident. Pilots must abide by applicable Federal Aviation Administration (FAA) guidelines or agency policy if it is more restrictive.

Incident management personnel should address work and rest management in performance evaluations and ratings for all overhead, crews, and support personnel.

DNRC personnel accepting fire suppression assignments will meet the criteria specified within the Northern Rockies Interagency

Mobilization Guide and the National Interagency Mobilization Guide on length of incident assignments. The length of incident assignments applies to both **in-state and out-of-state** tours of duty. In order to provide for safe, efficient, and effective support to wildland fire operations the following interagency policy on length of assignments as been adopted by DNRC. The policy applies to ALL firefighters, overhead, dispatchers, and support personnel. **R&R and Work Rest guidelines as outlined in the Interagency Incident Business Management Handbook** remain in effect for DNRC employees with exceptions noted within this section.

2. **Length Of Assignment**

a. Assignment Definition

An assignment is defined as the time period (days) between the first full operational period at the first incident or reporting location on the original resource order and commencement of return travel to the home unit.

b. Length of Assignment

Standard assignment length is 14 days, exclusive of travel from and to home unit, with possible extensions identified below.

Time spent in staging and preposition status counts toward the 14-day limit, regardless of pay status, for all resources, including incident management teams.

3. **Day Off**

After completion of a 14-day assignment and return to the home unit, two mandatory days off will be provided (2 after 14). Every effort should be made to achieve the day off within the individual's regularly scheduled days off. **Montana State employees are not authorized paid rest and recuperation upon return from an incident as outlined within the Interagency Incident Business Management Handbook, Chapter 10, Section 12.1-2) (5 U.S.C. 6104, 5 CFR 610.301-306, and 56 Comp. Gen. Decision 393 (1977). Refer to Chapter 50 "Rest and Recuperation."**

Pay entitlement, including administrative leave, for a paid day(s) off cannot be authorized on the individual's regular day(s) off at their home unit. Agencies will apply holiday pay regulations, as appropriate. A paid day off is recorded on home unit time records according to agency requirements.

Casuals (EFF/AD) are not entitled to a paid day(s) off upon release from the incident or at their point of hire.

Contract resources are not entitled to a paid day(s) off upon release from the incident or at their point of hire.

All length of assignment rules apply to aviation resources, including aircraft pilots, notwithstanding the FAA and Agency day off regulations.

4. **Assignment Extension**

Prior to assigning incident personnel to back-to-back assignments, their health, readiness and capability must be considered. The health and safety of incident personnel and resources will not be compromised under any circumstance. Extending assignments may be considered under one or more of the following circumstances:

- Life and property are imminently threatened;
- Suppression objectives are close to being met;
- A military battalion is assigned, or
- Replacement resources are unavailable, or have not yet arrived.

Upon completion of the standard 14-day assignment, an extension of up to an additional 14 days may be allowed (for a total of up to 30 days, inclusive of mandatory days off, and exclusive of travel). Regardless of extension duration, two mandatory days off will be provided prior to the 22nd day of assignment.

Contracts and Emergency Equipment Rental Agreements (EERA) should be reviewed for appropriate pay requirements and length of assignment. If the contract or EERA does not address this, the incident Finance/Administration Section Chief or the procurement official should be consulted as to whether compensation of a day off is appropriate.

a. **Single Resource/Kind Extensions**

The Section Chief or Incident Commander will identify the need for assignment extensions and will obtain the affected resource's concurrence. The Section Chief and affected resource will acquire and document the home unit supervisor's approval.

The Incident Commander approves the extension. If a convened geographic or national multi-agency coordinating

group (GMAC/NMAC) directs, the incident commander approves only after GMAC/NMAC concurrence.

If the potential exists for reassignment to another incident during the extension, the home unit supervisor and affected resource will be advised and must concur prior to reassignment.

b. Incident Management Team Extensions:

Incident management team extensions are to be negotiated between the incident Agency Administrator (Line Officer), the Incident Commander and the GMAC/NMAC (if directed).

The Assignment Extension form can be found in the Appendix of this manual. A copy of documentation should be attached to time sheets.

Upon release from the assignment, regardless of extension duration, two mandatory days off will be provided immediately following the return to the home unit.

B. REST AND RECUPERATION

As a general rule, regular Department employees and emergency firefighters are not guaranteed a specific number of days of paid rest and recuperation (R&R) within an emergency incident. Incident Commanders and agency officials responsible for the incident will utilize R&R to give employees proper rest so they remain productive, physically capable, and mentally alert to perform their jobs safely. The timing and length of R&R may vary depending upon the fatigue level and work requirements of crews.

1. **Rest and Recuperation During Incident**--When facilities (including incident base camp or command post) are provided for R&R, time spent at these facilities by regular employees is compensated only to that extent needed to complete the guaranteed hours for that calendar day. Do not record this on-shift time as specific clock hours for that day.

***NOTE:** On the Form OF-288, Emergency Firefighter Time Report, record the time with "RR" above the daily hours. Home unit timekeepers shall record R&R time as base hours if the R&R occurs during the employee's scheduled workdays, or as overtime hours if the R&R occurs during the employee's normal days off.*

An employee who leaves an R&R facility for personal reasons not related to R&R, rather than official reasons, shall be placed in an off-duty status.

Record the total hours of R&R the employee actually spent at the facility. Indicate on the Form OF-288 in the “remarks” block when the employee was released for personal reasons. The home unit shall charge leave if the employee has not fulfilled the basic tour (such as 40-hour week and so forth). Do not charge leave when an employee is on overtime.

R&R facilities should provide the following where practical:

- a. Eight (8) hours of uninterrupted sleep.
- b. Facilities for showering and washing clothes.
- c. Commissary or other sources to secure essential items.
- d. Access to a public telephone for personal calls.
- e. Smoke-free environment.

933 WILDLAND FIRE SITUATION ANALYSIS REQUIREMENT (STANDARD)

It is required that a Wildland Fire Situation Analysis (WFSA) be prepared by the DNRC responsible line officer or their designated representative. The line officer shall promptly organize and implement an appropriate suppression response for each escaped fire. An escaped fire is defined as a fire which has exceeded, or is anticipated to exceed, initial action capabilities or fire management direction. The WFSA will be reviewed and as necessary revised each operational period until the fire is controlled. For Type 3 Incidents the WFSA Short Form may be used. The 3 Eastern Land Offices will normally utilize the WFSA identified in the County Assistance Team (CAT) Mobilization Plan.

A copy of WFSA instructions and example form can be found within the Forms Manual as Form F-955. The WFSA form can also be accessed from the following Internet website: <http://www.fs.fed.us/fire/wfsa/>

Follow the instructions and download the **WFSA Plus 04** software onto the hard drive of your computer. Once the file is downloaded, click to open files and follow the Installation Wizard. The website also includes the paper process and a detailed Instruction Manual. (For more details, see the Cooperative Fire Protection Agreement.)

934 DELEGATION OF AUTHORITY

The transfer of authority for suppression actions on a fire is done through a delegation of authority from the agency administrator (Line Officer) to the

incident commander. A written delegation of authority will be done on all Area Command, Type 1 and Type 2 incidents and on most Type 3 incidents. Line Officers have the discretion to verbally or in writing delegate authority for Type 3 incidents. An Incident Management Team (IMT) may manage suppression actions on a fire only after receiving a signed delegation of authority from the agency administrator (Line Officer). This procedure facilitates the transfer of command for the incident between management levels.

The delegation of authority will contain specific, measurable objectives to be accomplished by the IMT, as well as any limitations to that authority. Measurable objectives will provide both the IMT and agency administrator (Line Officer) a means for continual evaluation and necessary adjustments as the incident progresses.

- A Letter delegating authority and assigning responsibility should be issued whenever an Incident Commander is assigned to manage an incident. As situations change, it may become necessary to reissue or update the letter of delegation. Normally, the letter of delegation is issued prior to the Incident Commander taking over the responsibility for management of an incident.
- B. Letters of delegation should be specific enough to ensure the Agency Administrator (Line Officer) gets the desired results, but broad enough to let the Incident Management Team perform their management duties. Any constraints that are necessary for the Agency Unit to meet resource management objectives, avoid political problems, create unacceptable public concern, generate unacceptable environmental impacts or jeopardize personnel safety should be included in enough detail for a complete understanding by the Incident Commander. Where the Incident Management Team can be given the latitude to carry out the Agency Administrator's (Line Officer's) direction within the Wildland Fire Situation Analysis (WFSA) preferred alternative, further constraints only inhibit and reduce the team's management effectiveness.
- C. Similar to delegating any authority, only the person who is responsible can delegate for the management of an incident. In situations where an Agency Administrator (Line Officer) delegates authority to someone other than the Incident Commander (for example, to an Area Commander) then the Area Commander will be responsible for issuing letters of delegation to Incident Commanders.
- B. The following are elements to consider including in letters of delegation of authority to Incident Commanders. Only those elements that are specifically necessary should be included.
 - 1. Identification of Agency Administrator's (Line Officer's) representative.
 - 2. Identification of suppression objectives in priority.

3. Identification and explanation of the initial attack responsibilities.
4. Identification of Resource Advisor and his/her role.
5. Identification of suppression activities that require Agency Administrator (Line Officer) approval and which have been delegated to the Incident Commander.
6. Identification of the basic documents that should guide the management of the incident.
7. Identification of cost constraints and guidelines not covered in the WFSA.
8. News release approval and incident information guidelines and limitations.
9. Identification of constraints or guidelines on firefighting methods and resources
10. Identification of procedures in dealing with threats to other jurisdictional property.
11. Identification of any “Special Management Areas, “ legal, or policy constraints that may be applicable.

Sample Delegation of Authority: Delegation of Authority

Montana Dept. of Natural Resources & Conservation
Two Dot Land Office

As of 1800, August 20, 20XX, I have delegated authority to manage the Crystal River Fire, Number XYZ-100, Two Dot State Forest, to Incident Commander Bill Jones and his Incident Management Team.

The fire which originated as four separate lightning strikes occurring on August 18, 20XX, is burning in the Crystal River Drainage. My considerations for management of this fire are:

1. Provide for fire fighter and public safety.
2. Manage the fire with as little environmental damage as possible. The guide to minimum impact suppression tactics (MIST) is attached.
3. Key cultural features requiring priority protection are: Escalante Cabin and overlook board walks along the south rim.
4. Key resources considerations are: protecting endangered species by avoiding retardant and foams from entering the stream; if the ponderosa pine timber sale is threatened, conduct a low intensity under burn and clear fuels along road 312.
5. Restrictions for suppression actions include: no tracked vehicles on slopes greater than 20 percent or meadow soils, except where roads exist and are identified for use. No retardant will be used within 100 feet of water.
6. Minimum tools for use are Type 2 and 3 helicopters, chainsaws, hand tools and portable pumps.
7. My agency advisor will be Eric Johnson (Wildlife Biologist).
8. The northeast flank of the fire borders private property which must be protected if threatened. John Dennison of the Big Pine Fire Department will be the local representative.
9. Manage the fire in a cost effectively way base on the values at risk.
10. Provide training opportunities for the Two Dot Land Office financial personnel to strengthen our organizational capabilities.
11. Minimum disruption of residential access to private property and visitor use consistent with public safety.

(Signature and Title of Agency Administrator)

(Date)

Amendment to Delegation of Authority

The Delegation of Authority dated August 20, 20XX, issued to Incident Commander Bill Jones for the management of the Crystal River Fire, number XYZ-100, is hereby amended as follows. This will be effective at 1800, August 22, 20XX.

1. Key cultural features requiring priority protection are: Escalante Cabin, overlook board walks along the south rim and the Two Dot Mountain Study site.
2. Use of tracked vehicles authorized to protect Escalante Cabin.

(Signature and Title of Agency Administrator)

(Date)

935 LOCAL GOVERNMENT FIRE SUPPRESSION

Fire suppression costs continue to escalate along with the increasing value of structures and natural resources. Due to a diversity of values within each county, and to the escalation of suppression costs, it has become necessary to develop suggested procedures for suppression of fires that occur within cooperative fire counties.

These procedures are intended to be interpreted and altered by the land office to fit specific local situations that are encountered. These procedures are also meant to assist state and county personnel in determining the actions to follow for suppressing wildfire in a manner that is economically feasible in relation to values at risk.

A. COUNTY COOPERATION

Individual land offices and dispatch centers work locally with the counties lying within their respective area of responsibility. Requests for personnel and equipment from outside of the land office area for use on county project fires will be made to the zone coordination center.

The use of available county personnel and equipment will utilize the following guidelines:

1. **Mobilization Procedures**

- a. Land office or dispatch center contacts each county as to the number and types of equipment and personnel available for dispatch outside of their county boundaries based on an approved drawdown plan. This list is provided annually to the land office or zone coordination center. Mutual aid assistance to adjacent counties will not be considered for State reimbursement.
- b. Each county maintains the list for its total resources with a main contact listed.
- c. All county resources within land office area boundaries are considered local for zone coordination.

2. **Conditions of Hire**

- a. Responsible county is fully committed with their available manpower and equipment. At no time will the responsible county be reimbursed by DNRC for manpower and equipment they have ordered or provided on the fire. Also, DNRC-owned equipment placed in the county under the coop program will not be rented by DNRC for fires within the county.

- b. DNRC County Fire Advisor and/or Agency Representative recommends additional resources (no reimbursement for prior actions of mutual aid counties).
- c. All personnel will be members of a county and/or emergency service organization.
- d. All personnel will have a basic level of wildland fire training, with the exception of specialized resources (e.g., EMS). Under NIIMS, DNRC will accept the local government personnel under their physical fitness program and/or requirements.
- e. All county forces will be organized under the incident command system.
 - Single Resources
 - Task Force
 - Strike Team
- f. All equipment will be inspected and hired under an "Equipment Rental Agreement" (preferably preseason sign-up in conjunction with county inspections).
- g. All personnel and equipment will be paid per rates listed in the "NWCG Interagency Incident Business Management Handbook," unless covered under a separate agreement. Only normal use items (i.e., gas, oil, etc.) and repair and maintenance charges will be made against DNRC-owned equipment that is brought in to assist another county by county forces.
- h. A DNRC Agency Representative and/or County Fire Advisor may be required with use of county personnel.

B. COUNTY FIRE SUPPRESSION

1. **Provide Close Coordination**

Land offices should continue to develop close cooperation and coordination with the counties to ensure an early and even flow of intelligence on fire conditions. The success of any limited action support program lies in early assistance by the state to reduce the need for maximum efforts later. Be careful, though, that any assistance we provide does not become a crutch for a county to lean on constantly.

The following are areas where close coordination between the county and the state may become necessary:

- a. The ignition of fires should be reported to the DNRC land office if they consist of multiple starts that could feasibly overwhelm the county forces, or should be reported if single fires are still burning uncontrolled 24 hours after attack by the county, or when significant resources are requested from adjacent counties.
- b. The ignition of any wildfire in a high hazard area that has the potential of developing into a serious fire situation should be reported by the county to the local land office. The seriousness of a fire situation in these areas may be dependent upon a variety of factors that exist at the time of the fire occurrence: weather conditions, prior commitment of county forces, or suppression force capability.
- c. The ignition or spread of a wildfire onto state classified forest ownership which has the potential for high resource loss should be reported.

2. **Monitor Local Fire Conditions**

The land office should closely monitor county fire suppression actions any time a fire situation has been reported by the cooperator. This monitoring should be geared to the type of situation and the degree of hazard. The land office should monitor by checking periodically with the County Firewarden via phone, or by a personal visit to his/her office. If the fire situation appears to be expanding, the Area could monitor by aircraft or a direct visit to the fire. This monitoring should be done as soon as necessary and normally with the County Firewarden or his assistant. Continue direct monitoring until the fire situation is normalized. Provide weather data to the county via phone or hard copy and request spot forecasts for the fire. The DNRC local land office should monitor the fire situation by direct observation via fixed-wing aircraft, helicopter or by a visit to the fire. Such expenditures may be paid for by DNRC in assisting the county and do not require an official request from the County Commissioners to the State Forester. An area fire and accounting number will be required once DNRC costs are incurred, along with the necessary reporting of actions to the state coordinator at the NRCC. Follow-up paperwork is also required, such as a fire incident report and narrative.

The use of Department personnel and equipment on county fire activities should be kept to the absolute minimum where possible. The ordering and use of individual or small numbers of specialized fire personnel is to be encouraged. The expertise available from

the Department or another organization's fire personnel in fireline construction, fireline burnout, engine/tender utilization or dozer operations may be all the assistance a county fire organization requires to handle its fire problems effectively with the least cost. Project fire organizations with overhead teams, organized fire crews, and supporting elements will still be available upon request, but due to higher costs their use should be closely evaluated on a cost/risk basis.

Specific fire suppression tactics are suggested to combat county range fires where practical. This may be in the form of a engine wetline or a dozer line with burnout. Both may be utilized on many of the finer fuel types found throughout the eastern counties. Both of these methods of fireline construction have a moderate amount of risk involved, but this is usually offset by the advantage of speed in line building, with a small number of personnel, at lower or reduced costs.

The engines/tenders that we normally provide to the cooperative counties have proven to be a very effective piece of firefighting equipment on the mixed conifer/grassland fuels found in many cooperative counties. Therefore, their use should be stressed wherever practical.

- a. **Suppression Assistance**--Department assistance should normally be aimed at:
 - 1) County Fire Advisor.
 - 2) County Fire Multi-Leader Team advice to local forces (County Assistance Team [CAT] Type III).
 - 3) Specialized fire personnel trained in burnout and equipment use.
 - 4) Providing specialized pieces of equipment, such as burnout torches, air tankers, observation aircraft, etc.
 - 5) The use of well-trained, experienced fireline hand crews (e.g., I.H. and jumpers) will normally be limited, but if they are utilized, they should have the ability to be split up or to work as independent members of a suppression force.
 - 6) Initial attack and/or assistance by DNRC forces where DNRC direct protection borders areas of county protection responsibility.
 - 7) Type I and II Interagency Incident Management Team.

3. **Suppression Assistance in Circumstances Beyond County Capabilities**

DNRC assistance will consist of whatever personnel and equipment is required by the County Fire Incident Commander to control the fire agreed to by the County and DNRC Line Officers. DNRC and cooperating agency fire suppression forces will be used to ensure control of the fire. DNRC ordered forces will be withdrawn from the fire when agreement has been reached between the County Fire Incident Commander and the state that the county is capable of handling the remainder of the fire activities adequately. DNRC will provide a line officer to work in a unified effort with the county line officer.

4. **Provide Advice at an Early Stage to Reduce the Need for Major Support**

Local DNRC land office personnel normally handle County Fire Advisor duties. When the monitoring of fires indicates that the situation may become serious, additional county fire advisory aid may be requested. Selected DNRC personnel will be available to the land offices that may be experiencing fire problems in a cooperative county or counties. These personnel will be referred to as "County Fire Advisors" and will have prior training and experience in both timber and grassland fire behavior. They will also be familiar with the county cooperative fire program and the use of local government forces.

A County Fire Advisor may be requested by the land office, through the zone coordination center, any time the land office feels that advisory assistance is needed. The County Fire Advisor is not to relieve the Area Manager or his representative of their duties and responsibilities, but is to advise and assist them and the county during periods of heavy or critical fire loads. They will make specific recommendations as to personnel and equipment needed on fires in the county and also may give advice on how to better utilize the existing forces.

A request should immediately be placed by the DNRC land office for a trained County Fire Advisor or for an incident management team if direct monitoring indicates a potentially dangerous fire situation. We must attempt to have advisory personnel in place early. A written request from the County Commissioners is not needed for the Department to provide this advisory assistance.

5. **Tailor Suppression Assistance to the Values at Risk**

Limited and specialized assistance may be provided to a cooperative county by the land office on verbal concurrence of the County Firewarden or County Commissioners. **(Full project fire assistance must be from the County Commissioners and followed up by a written request within 48 hours.)** It should be well understood by the county that DNRC resources are available to them at all times on a limited assistance basis. This assistance may be with personnel and/or equipment.

6. **General Guidelines**

The following points have been listed as a general guideline for Department overhead and land office personnel that are assisting cooperative counties in fire suppression:

- a. Many county fires have developed into uncontrollable project fires because of the lack of adequate fire knowledge by fire suppression crews or personnel. Not all county personnel involved in fire control have received sufficient fire training.

These deficiencies (lack of adequate fire knowledge and fire training) have resulted in the construction of inadequate firelines that (a) may not be fully connected or anchored; (b) may be too narrow; or c) are too far from the edge of the burning fire. Such deficiencies in line building allow the fire to creep, or be carried by the wind, out of its present burn area. Wherever possible, it should be stressed to county personnel that crews make absolutely sure lines are anchored and tied together, and that mop-up is adequate to keep the fire from spreading beyond the established control lines under normal weather conditions. The importance of follow-up patrols on a regular basis should also be emphasized. The Basic, Intermediate and Advanced Wildland Firefighter training program is available to all cooperating counties.

- b. The initial order for personnel and equipment will be approved by the Land Office. If the land office is unsure as to needs, a County Fire Advisor should be requested immediately to assist.
- c. A County Assistance Team will be used on project county fires when practical. Due to limited personnel and prior commitments of team members, other trained overhead team members may be used. Assignment will be on a case-by-case basis.
- d. A land office that is experiencing county fire problems will assign at least one individual as a County Fire Advisor and one

individual as the Agency Representative. Both should be from the local land office or be extremely knowledgeable of land office operations and the local community.

- e. The individual acting as the Agency Representative will work closely with all personnel to maintain coordination and a good working relationship. All overhead fire teams should maximize coordination with the landowner, local volunteers, county personnel and State personnel that are involved with the suppression effort.

DO NOT TAKE THE FIRE OVER FROM THE RESPONSIBLE COUNTY. THE COUNTY IS TO REMAIN IN CHARGE OF FIRE OPERATIONS AT ALL TIMES. THE COUNTY NEEDS TO CONTINUE TO PROVIDE UNIFIED LINE OFFICER AND IC'S.

- f. All fire suppression methods considered for use during project fire operations will be coordinated with the landowner, County Fire Incident Commander and the Area Manager or his/her representative (line officer). If adjoining landowners are threatened, they should also be contacted and informed of proposed tactics. The decision on the use of specific fire tactics to be employed on the fire will continue to remain with the County Fire Incident Commander. Whatever tactics are decided upon, the saving of lives, structures, and high value property will be of paramount importance, and should be stressed before a final decision is made on the method to be used in the suppression action. Documentation in writing, stating basis for suppression method utilized, is advisable. Such documentation may be helpful later, if there is a question on the tactics utilized in suppressing the fire.
- g. The county will maintain a fully committed status throughout the duration of the fire or fires. County crews and county equipment should be made available to the fire, if not committed on other fires. Requests for crews and equipment will originate with the County Fire Incident Commander. If the request for county crews and equipment is not promptly acted upon, the Agency Representative or Area Manager will work with the County Commissioners to fill the request. County crews and equipment on the fire will not be paid by the state. County equipment should be utilized, where practical, before private equipment is rented for use on the fire.

Any equipment voluntarily furnished by the landowner for fire suppression upon their lands or upon adjacent lands will not be hired onto the fire by the state. Such equipment should be utilized as long as the landowner is willing to provide it in a

voluntary capacity. If the landowner is unwilling to voluntarily provide specific needed equipment upon request, then we may hire the needed equipment to meet suppression objectives.

- h. If a volunteer fire department or other volunteers are helping in the suppression activity, a coordinated effort should be made by the County Fire Incident Commander to maintain volunteers on the fire through split 24-hour shifts. Any volunteers on the fire are not to be paid by the state. If specialists such as sawyers, dozer operators, truck drivers, etc., are needed on the fire, they can be put on the state payroll. This excludes county employees and is not applicable if the specialist is available through the county.
- i. An Agency Representative should be ordered as part of any interagency team that may be on a county fire and/or where the potential exists for county resources to become involved in the suppression effort.
- j. Any fires occurring in areas of cooperative county protection should be monitored closely where fire spread may cross agency protection boundaries. Fires spreading across agency boundaries may involve sharing of costs associated with the suppression efforts. Agency representatives should be consulted as soon as a threat is determined on their jurisdiction.

C. COUNTY LAW ENFORCEMENT COST RECOVERY OPTIONS

- 1. County requests Governor's declaration for reimbursement of eligible county costs.
 - a. The county invokes the emergency two-mill levy.
 - b. DES administers oversight and distribution of state emergency funds to requesting unit.
- 2. County requests FEMA fire management assistance grant through DNRC.
 - a. State must meet threshold costs.
 - b. DNRC, on behalf of county, submits fire management assistance application to FEMA.
 - c. County submits sub-grantee application (FEMA Form 90-133, Nov. 02) to state within 30 days of closure of the incident period.

- d. If DNRC grant is approved, the county, as sub-grantee, would be eligible for reimbursement of 75% of eligible costs.
- 3. Counties conduct law enforcement activities outside their jurisdictional responsibility and are ordered directly by the incident.
 - a. Law enforcement activities must be identified in the Incident Action Plan or resource order.
 - b. County equipment and personnel are tracked daily by incident management team.
 - c. Parties invoice the Forest Service or DNRC and are paid through the Cooperative Law Enforcement Agreement.

D. GUIDELINES FOR COOPERATIVE LAW ENFORCEMENT AGREEMENTS

1. **Issue #1: Reimbursement for Incident/Fire Emergencies**

Under what circumstances are local law enforcement agencies eligible for reimbursement from fire suppression funds for fire-related activities?

Discussion: During emergencies, the DNRC will reimburse the Cooperator for the costs incurred as a result of providing requested assistance. Reimbursement will be limited to actual costs associated with the declared emergency and which, have been ordered by the DNRC, with an assigned Resource Order Number. The DNRC also agrees to reimburse the cooperator for any additional overtime expenses incurred by the Cooperator as a direct result of officers working fire assignments under this Agreement. Costs incurred prior to issuance of a Resource Order will not be reimbursed.

| Reimbursable Services | Non-reimbursable Services |
|---|---|
| Fire Camp Security | Mass Evacuations |
| Maintain Roadblocks for Fire Equipment or Fire Camp Security | Normal Cooperative Activities |
| Equipment Security | Normal Traffic Control (Example--Public Safety Mitigation resulting from smoke, landslide, vehicle accident, etc). |
| Traffic Control Requested by the DNRC (Example--Incident Operational Activities such as burnouts, helicopters hovering near roads, etc. | |

Guidelines:

If the activity is not documented, it won't be reimbursed. Be sure to document what assistance is requested, why it was requested, who requested it, and what agreements were made regarding reimbursement.

Is there a current cooperative law enforcement or mutual aid agreement between the local sheriff's department and land use agencies? If so, review it for sections dealing with fire emergencies or special enforcement situations.

| Situation | | Guideline (s) |
|------------------|---|--|
| 1 | Initial Response | Generally the responsibility of each participating agency or department, and will not be reimbursed unless there is an advance written agreement stating otherwise. Check your co-op or mutual aid agreement. |
| 2 | Activities begun during initial response are continued. | Establish contact with the incident management team to determine what activities they feel must be continued as part of the suppression/protection effort (if any). Initiate a resource order or service agreement. |

| Situation | | Guideline (s) |
|------------------|---|---|
| 3 | Incident management team requests your assistance with public safety functions. | Document the request, including what functions are needed, why, who will perform them and who will pay for them. Initiate a resource order or service agreement. |
| 4 | Local authorities feel some public safety functions are necessary, but the incident management team does not. | Reimbursement from fire suppression funds is probably not going to be approved. |
| 5 | Transition between incident management teams. | Review current requests, agreements and orders with the new team. Revise as necessary. |

Be very specific with agreements and resource ordering. If non-sworn personnel such as dispatchers, support staff and search & rescue will be used in the field you will need to determine in advance if related expenses are allowable. The same goes if you expect reimbursement for equipment use.

2. **Issue #2: Reimbursement for Enforcement of Restrictions And Closures**

Under what circumstances are local law enforcement agencies and local or state road/transportation departments eligible for reimbursement of assistance rendered in the enforcement of activity restrictions and area closures related to the wildland fire danger?

Discussion: Restrictions and closures are an emergency administrative action initiated for fire prevention and public safety purposes. They are normally reinforced by the issuance of an emergency proclamation or disaster declaration by principal executive officers (governor, board of commissioners or mayor).

Guidelines:

Review current cooperative law enforcement or mutual aid agreements for any language addressing this issue.

If the activity is not documented, it won't be reimbursed. Be sure to document what assistance is requested, why it was requested, who requested it and what agreements were made regarding reimbursement. *(Yes, you've seen this item before. **It is important!**)*

Requests for assistance must come from the land use agency or interagency dispatch center in your area. If in doubt, meet with the agency administrator or designated representative.

3. **Issue #3: Inmate Crews Assigned to Incidents Within Your Jurisdiction**

Trained inmate crews from the Montana, Idaho, Colorado and Utah prison systems are part of the resource pool utilized by the Northern Rockies Coordinating Center. They come with their own security detail and have historically been assigned just like any other resource. On a few occasions this has resulted in tensions between the incident management team, area citizens and local government officials.

Resolution:

The county sheriff will be notified in advance of an inmate crew being assigned to his or her jurisdiction.

If you have questions about the crew's make-up, selection process, security arrangements, etc. you may contact their agency representative assigned to the incident or the Northern Rockies Coordination Center Duty Officer at (406) 329-4880

Note: Your local disaster and emergency services coordinator should have the population protection (PopPro) field guide on diskette. The field guide is designed to help you plan, implement and document emergency public safety functions and includes a resource requirements form (section 4) that can help you with issue #1 of this memo.

936 WILDLAND AND STRUCTURAL FIRE PROTECTION

A. OVERVIEW

The statutory fire protection responsibility for Montana's natural resources and structural developments has been assigned to various federal, state, and local government agencies. By law, agencies have responsibility for protecting the natural resources of the state. Local government agencies may be authorized or directed by state statute to provide fire protection to both natural resources and improvements/structures. Within this text, the

terms structure and improvements are interchangeable and include buildings, enclosed structures, vehicles, vessels, aircraft, or like properties.

The distinction between natural areas and structural developments has been well defined in the past. However, these differences have become more vague with the encroachment of structural developments into what were exclusively forest or wildland areas. This mixture of wildlands and developments has become quite extensive throughout Montana and has been labeled the "Wildland/Urban Interface (WUI)." This rapidly expanding area has created significant fire management problems for all agencies with natural resource fire protection responsibilities.

B. WILDLAND FIRE PROTECTION:¹

The Department of Natural Resources and Conservation's mission has been the protection of the natural resources of the state from wildfire. DNRC's primary mission is protection of those state and private classified forest lands lying within our protection boundaries.² Large tracts of federal lands within DNRC protection boundaries are also being protected through contract or offset. Although "forest fire protection" has been our primary responsibility for several years, this responsibility has been redefined to a broader one of "wildland fire protection." Wildland fire protection is a more inclusive term for both forest and range lands and more closely defines our role as a natural resources fire protection agency.³ Our current program direction is to take suppression actions that are both offensive and defensive on farm, range, forest, watershed, or other uncultivated lands in private and public ownership. DNRC accomplishes its mission of protecting these private and public lands through a combination of three primary methods. These methods are

¹**MCA 76-11-101. Protection of natural resources from fire.** The department of Natural Resources and Conservation, under such rules as the State Board of Land Commissioners may provide, shall protect the natural resources of the State, especially the natural resources owned by the State, from destruction by fire and for such natural resources owned by the State, from destruction by fire and for such purpose, in emergencies, may employ men and incur other expenses when necessary.

²**MCA 76-13-102. Definitions.** (5) "Forest fire protection " means the work of prevention, detection, and suppression of forest fires and includes training required to perform those functions.

Protection, in this case, includes prevention, detection, and suppression and are defined as follows:

1. Prevention--Activities directed at reducing the number of fires that start, including public education, law enforcement, and engineering methods to reduce fuel hazards.
2. Detection--The act or system of discovering and locating fires.
3. Suppression--All the work of extinguishing or confining a fire beginning with its discovery. Suppression action may take the form of either defensive or offensive.

³**MCA 76-11-102. Cooperative agreements with owners and lessees of land for fire protection and conservation.** (1) For the purpose of more adequately promoting and facilitating the cooperation, financial and otherwise, between the State and all of the public and private agencies or individuals therein, the department of Natural Resources and Conservation may cooperate with owners or lessees of farm, range, forest, watershed, or other uncultivated lands in private and public ownership for the protection from fire of the cultivated agricultural crops or natural resources existing or growing thereon and also in the conservation and perpetuation of such lands and resources, including the prevention of soil erosion and the regulation of stream flow.

labeled as direct, contract, and state/county cooperative fire protection. These methods are described as follows.

1. **Direct Protection**--This type of protection is handled directly by DNRC. Prevention, pre-suppression and suppression work are all considered DNRC direct fire protection responsibility. DNRC hires personnel and purchases equipment necessary to fulfill wildland fire protection responsibilities for assigned lands. Assigned lands are within established wildland fire protection districts or units.
2. **Contract Protection**--This type of protection is provided to state and privately owned lands by a federal agency or tribal agency that has been recognized by the DNRC Director. Recognized federal fire protection agencies are required to provide protection at the same or higher level as they do on their own lands. Contracting is accomplished either by the offset method or by direct payment to the federal agency for their services. Currently contract fire protection exists with USFS, BLM, FWS and CS & KT.
3. **State/County Cooperative Protection**--The state and county cooperative fire program is lower intensity fire protection than that of direct or contract protection, but it fully meets the legal requirements for protecting natural resources. The county provides the basic level of fire protection through a system of volunteers, county personnel, rural fire districts, etc. The county may be supported by the State in matters of organization, planning, equipment, training, and fire suppression.

C. STRUCTURAL/IMPROVEMENTS FIRE SUPPRESSION

Montana law also states that DNRC **may** protect non-forest lands and **improvements** when requested by the landowner. DNRC has elected to provide protection to non-forest lands, when requested by the landowner, through the use of non-forest agreements. We have not elected to provide the same level of protection to improvements. DNRC Fire & Aviation Management interprets improvements to include structures and related high value items as defined within National Fire Protection Association (NFPA) 1500-10, structural firefighting.

Suppression actions by DNRC on structures will be defensive in nature and thus be confined to the exterior of structures. DNRC wildland firefighters are **ABSOLUTELY PROHIBITED** from performing any interior firefighting activities on structures.⁴ Structural firefighting, both

⁴ **NFPA 1500-13 (1-5) Definitions.** Offensive operations: Actions that involve a direct attack on a fire, to directly control and extinguish the fire, often performed in the **interior** of involved structures. Defensive operations: Actions that are intended to control a fire by limiting its spread to a defined area, avoiding the commitment of personnel and equipment to dangerous areas. Defensive operations are generally performed from the exterior of structures and are based on a determination that the risk to personnel exceeds the potential benefits of offensive actions.

offensive and defensive, is the basic responsibility of local fire service agencies. It should be noted, though, that not all structures located within the state are covered by a local fire service. Many wildland areas within the Department's direct protection responsibility contain structures that are not covered by a structural fire service. On wildfires where structures may be threatened and there is no local structural fire service responsibility, DNRC may hire qualified structural firefighting services to provide protection for the duration of the wildfire threat. Until qualified structural services have arrived at the fire scene, DNRC personnel shall limit their actions on structural fires to:

1. **Activities Necessary For The Immediate Protection or Saving of HUMAN LIFE**--The protection of human life shall only be attempted by DNRC firefighters when such suppression activities will not jeopardize the lives of the firefighters. DNRC firefighters will **not** enter the interior of any burning structure and may only conduct defensive structural suppression actions.
2. **Defensive Suppression Actions Intended to Contain The Fire to the Structure Involved**--These actions are confined to the **exterior** of the structure only. **NO** offensive interior suppression actions will be undertaken by DNRC firefighters. The primary focus of DNRC firefighting forces shall be to prevent the fire from spreading to nearby wildlands by restricting or confining it to the structure. DNRC firefighters will conduct defensive suppression actions involving structures only to the extent they can be performed safely. Firefighters should be made aware that structures may contain unseen highly hazardous materials that may explode violently or produce toxic fumes and/or smoke.
3. **Defense of The Structure Prior to Ignition From an Approaching Wildfire**--Defensive actions will be carried out safely and ensure that firefighters lives are not placed in danger to save a structure. DNRC firefighting personnel may attempt to defend a structure from destruction from the outside (exterior) utilizing various tactics. These tactics may include spraying water or foam on the structure, burning out from existing or established control lines, and clearing fuels/materials from around the structure to make a "defensible space" to protect the structure from an approaching wildfire. Tactics used will be within the capabilities of DNRC wildland firefighting personnel and equipment. Wildland incident commanders may sacrifice wildland acres in the defense of improvements, utilizing wildland suppression equipment, if they feel these actions will not jeopardize their overall wildland suppression strategy. Again, at **NO** time will DNRC firefighters put themselves in danger to defend a structure.

D. LINE OFFICER GUIDANCE TO INCIDENT COMMANDERS FOR DEFENSIBLE SPACE TREATMENTS ON PRIVATE LAND

1. **Primary Fire Lines**--Attempts should be made to get the landowner's (signed) approval for defensible space treatments prior to clearing vegetation. If time does not permit you to issue consent forms, but you get a verbal agreement, document the conversation.
2. **Contingency Lines**--Consent forms should be passed out along with evacuation notices to landowners. The landowner will sign the form and return them to the ICP. The information officer or designee should be the collection point for the consent forms. If you are unable to get a signed consent form, no defensible space treatment will be performed on the property unless not doing so compromises firefighter safety.

It is imperative to inform the landowner that we will be altering the vegetation on their property and it will not look the same when we are done.

E. NORTHERN ROCKIES COORDINATING GROUP DEFINITIONS AND STANDARDS

1. **Life and Improved Property Protection**--A service with the primary responsibility to protect the structure and the people that occupy these structures from injury or death. This fire protection service is normally provided by rural and/or local government fire departments, with specially trained and equipped personnel. After life safety, the priority is to keep the fire from leaving the area or origin. It also means protecting the structure from and advancing wildland fire. Various taxing authorities fund this service. (The equipment and training required to conduct life and property protection is not normally provided to the wildland firefighter.)
2. **Structure Protection**--Protecting the structure from the threat of damage from an advancing wildland fire normally does not include an attack of fire that is inside the structure. It involves the use of fire control lines (constructed or natural) and the extinguishing of spot fires near or on the structure. This protection can be provided by both the rural and/or local government fire department firefighters and the wildland fire protection firefighter. This does not include an interior attack of fire that is in the structure. It involves the use of standard wildland protection tactics, control methods, and equipment, including fire control lines and the extinguishing of spot fires near or on the structure.
3. **Wildland Fire Protection**--A service with the primary responsibility of protecting natural resources and watersheds from

damage by wildfires. State and federal forestry or land management and some local government agencies normally provide wildland fire protection with specially trained and equipped personnel. Various taxing authorities and fees fund this service. (If a fire protection agency is routinely called upon to fight wildland fires, they are usually trained and equipped to do so. The problem arises when personnel from an agency are called upon to fight fires for which they are NOT equipped or trained.)

4. **Structure Fire Suppression**—Defined as interior or exterior actions taken to suppress and extinguish a burning structure or improvement associated with standard structure fire protection, equipment and training.

Structure fire suppression is the responsibility of local government entities, although there are some locations in the Northern Rockies Geographic Area where there is currently no structural fire agency in place.

Federal and state fire agencies, as a general rule, do not have the authority, training or equipment to engage in structure fire suppression actions. Two agencies (National Park Service and Bureau of Indian Affairs) have limited capability and authority to conduct structure suppression operations related primarily to buildings owned or protected upon lands administered by those agencies. Certain tribal entities may have additional capability and authority on tribal lands.

Federal and state fire agencies with wildland fire protection authority and capability can and will **support structure fire suppression** operations within their jurisdictional areas of wildland protection. **Support** is defined as applying water, foam or retardant in an exterior attack only (ground or aerial delivery) on a burning structure or other actions such as hauling water or pumping operations. No interior attack can be conducted (NPS/BIA tribal exceptions).

5. Federal and state agencies with wildland fire protection authority and capability can and will provide **structure fire protection** on wildland fires both on or off of lands administered or protected through agreements by those agencies. The distinctions made here recognize a closest forces concept on all wildland fires, a resource ordering system that dispatches fire personnel and equipment to other jurisdictions and agreements that exchange fire protection responsibilities among cooperators. Included are mutual aid provisions to support one another and preplanned dispatch protocols that move agencies resources between jurisdictions. In that regard, all participating agencies will take safe and appropriate tactical suppression actions to keep a wildland fire from igniting

structures or improvements. Suppression actions include both direct and indirect methods of perimeter control and extinguishing spot fires. Conversely, a structure or vehicle fire that has potential to escape to wildland fuels can and will be attacked in a safe and appropriate manner consistent with the capabilities of the agencies personnel and equipment.

6. During an initial attack incidence the agency with wildland fire protection responsibility should bear the costs of personnel and equipment utilized to suppress the wildland fire, which includes structure protection resources ordered by that agency. If a local government entity with structure fire jurisdiction and responsibility (in Montana, a rural fire district, a municipal fire department, or a fire service area) desires to increase the level of protection, a “you order, you pay” philosophy should prevail.
7. Implement a unified command under the incident command system (ICS) as soon as possible to assure onsite agreement as to what is ordered by whom and who pays. For mutual aid or a preplanned dispatch, the “who pays” should have been determined in advance and documented in the operating plan.
8. During an extended attack incident that involves structure protection issues and/or multiple jurisdictions/boundary fires, utilize agency representatives or a unified command structure to agree on site who orders what and who pays. Consider establishment of a single ordering point and develop a written cost share agreement to document these decisions.
9. On project size fires, include all structure protection issues and “how to handle” in the delegation of authority. Utilize unified command or fully qualified agency representatives to assure joint decision-making is integrated into incident control objectives, strategic and tactical implementation actions, and ordering processes. A written cost share agreement will be utilized to document apportionment decisions. Order technical specialists for assistance in developing agreements and utilize local fire officials in preparing and implementing structure protection plans.

F. NORTHERN ROCKIES COORDINATING GROUP GUIDELINES

1. Wildland fire agencies have primary responsibility for fire suppression within their protection area. Wildland fire agencies have a responsibility to prevent a wildfire from spreading into areas of structures and to assist the jurisdictional fire agencies in protecting structures from advancing wildfires.
2. Local government agencies (in Montana and North Dakota: rural fire districts, municipal fire departments and fire service areas; in

Idaho: local fire organizations) have primary structure responsibility within their defined jurisdictional areas. Local agencies should not be reimbursed for performing their responsibilities within their jurisdiction.

3. Local agencies may be reimbursed by the wildland agencies when performing beyond their responsibilities (and within qualifications) or outside their jurisdiction, as determined by the incident commander/agency representative and guided by provisions of local operations plans.
4. Use existing agreements, operating plans and established ordering procedures to order structure protection resources.
5. Incident resources, whether reimbursed or at no cost, incur support costs (food, lodging, fuel, tools, etc.) that must be considered and documented in the development of any cost share agreement.
6. The management of any wildfire that burns or threatens the protection area of more than one fire agency (federal, state, or local, including fire protection districts) will include these other agencies in the incident management. This is accomplished through participation as a unified incident commander or as an agency representative or a coordinated delegation of authority between affected jurisdictions.
7. One agency cannot financially commit another agency (federal, state, county or district) without the knowledge and consent of the committed agency.
8. Agencies responding to requests for assistance need to know, at the time of dispatch, if the cost of their response will be reimbursable or free to the requesting agency. Incident commanders, as well as requesting and responding agencies (through dispatch centers) must communicate and document the basis for payment of resources requested for the incident.
9. Cost-share agreements should be used to document apportioned costs.

**NORTHERN ROCKIES COORDINATION GROUP
MULTI- AGENCY COORDINATION**

MONTANA STRUCTURE PROTECTION PROTOCOLS

Situation:

1. Wildland fire only.
 - a. Follow the Fire Management Plan.
2. Wildland fire with structures and no structural fire protection by a structural fire department.
 - a. Follow the Fire Management Plan.
 - b. Contact the County Commissioners.
 - c. Contact the County Disaster and Emergency Services office.
3. Wildland fire with structures that are protected by a structural fire department.
 - a. Follow the Fire Management Plan.
 - b. Establish a unified Command structure with the Fire Chief.
 - c. Establish a Cost-Share Agreement.
 - d. No payments to fire departments in their jurisdiction for fire suppression and protection work that is their responsibility to perform.
 - e. Order a DNRC Fire Advisor (Tech. Spec.).

HOMEOWNER PROPERTY PROTECTION FORM

In some cases, homes can be defended against an approaching wildfire if fuels modifications around the structure are performed in advance of the imminent threat. Activities such as felling trees, removing brush and creating a fuel break around a structure can provide additional protection. This release form provides direction to firefighters about the activities they can or cannot do on your property as protective measures against wildfires.

This release is voluntary; by signing it you are giving fire officials direction to either proceed or not with modifications to the landscape immediately surrounding your home, structure, or property.

If the threat of fire is imminent and life safety becomes an issue, action may be taken on your property for human safety and local property protection.

There is no guarantee that any of these measures will be successful; they are an additional effort to provide protection.

NAME: _____

PHYSICAL
ADDRESS: _____
(This is the address of the property where fuels modification would occur.)

CONTACT
TELEPHONE
NUMBERS _____(1) _____(2)

UNABLE TO CONTACT PROPERTY OWNER

_____ *I hereby authorize the fire personnel to perform fuels reduction activities on my property as an attempt to protect my home from a wildfire. I understand that this involves landscape modification, including tree removal, brush clearing and activities creating a fuel break on my property. I understand that performing these actions does not guarantee protection of my property from damage or loss due to wildfire.*

_____ ***I DO NOT** authorize any fire personnel to perform fuels reduction activities on my property. I understand without allowing such activities my home and property may be at a greater risk of loss or damage by wildfire.*

Signature Date

937 RAILROAD FIRE SUPPRESSION

A. RAILROAD CAUSED FIRES

The following procedure will be followed when a fire does occur within the boundary of any railroad-owned right-of-way.

1. Report the fire to the "responsible railroad contact." Each land office should make definite arrangements, prior to the fire season, for reporting fires.
2. Dispatch a DNRC initial attack squad to the fire, and determine if the fire is "dangerous and threatening." (A dangerous and threatening fire is one that the incident commander believes will spread beyond the confines of the owned right-of-way and/or become too large for the railroad crews to suppress.)
3. If the fire is confined within the owned right-of-way, and **not** considered by the incident commander to be a threat to spread beyond the limits of the owned right-of-way, the firefighters should attack the fire and continue containment actions until railroad crews arrive. When railroad crews arrive, the fire will be turned over to them, if they are capable of controlling the fire, for suppression and mop-up.

A fire incident report will be filled out listing the expenses involved in such a holding action.

4. If the fire constitutes a threat to land under our protection, and the incident commander believes that it will spread beyond the confines of the owned right-of-way or already has spread beyond the owned right-of-way, then the initial attack squad should take action to control and suppress the fire.

This type of fire would be turned over to railroad crews for continuing suppression action when the DNRC Incident Commander feels that railroad crews are capable of handling the situation. Once again, a fire incident report would be prepared listing all the appropriate data and expenses incurred.

5. Once a fire has been turned over to railroad crews, periodic checks should be made to ensure proper and complete mop-up. If a fire is not mopped up properly, and railroad crews have left the fire, the railroad will be notified immediately to continue mop-up. The DNRC squad would remain on the fire until the railroad crew arrived back on the fire. The state expenses in this case would be added to the fire report. If the fire has been properly mopped up, or if railroad crews are still working on the fire and it is confined to

the owned right-of-way, no charge will be made for the patrol time.

6. If a fire escapes from the railroad-owned right-of-way while their crews are on the fire, or if it escapes due to improper mop-up, DNRC squads will attack, control and mop-up the entire fire, including that portion within the owned right-of-way boundaries. A complete fire incident report should be filed listing the charges to be used in a billing action to the railroad.
7. Prompt suppression action should be taken to control **all** fires during periods of dangerous spread conditions. Local contact with the various roads will provide the land office with the instruction necessary to decide whether local railroad forces are able to control any given fire situation. Those fire situations they are not able to handle, we will. A strong local land office program of implementing the "Guidelines for the Prevention of Railroad Fires" should also substantially reduce our railroad fire problem.

Note: *Montana Rail Link (MRL) has requested that we notify them, within a few days, of any fires that we become involved with which have been started by their operations. They would like to know where the fire occurred (nearest mile post marker number is sufficient) and what kind of resources we used in the suppression effort. They would also like to know what are estimated billable costs to them are so that they may begin to earmark funds in anticipation of our bill.*

If you respond to a railroad fire that is billable to MRL, please contact the following in writing:

Chief Engineer
Montana Rail Link
201 International Way
P.O. Box 8779
Missoula, MT 59807

or contact the "Roadmaster" with whom you normally deal with in matters pertaining to MRL.

Reference section 951(H) for a listing of the other railroads we have agreements with and the telephone numbers for contacting them during emergencies.

Refer to DNRC Fire Administration (200) Manuel for individual agreements with specific Railroad Companies (i.e., BNSF, MRL, etc).

938 QUALIFICATIONS STANDARDS DURING INITIAL ATTACK

There appear to be varying interpretations within the federal agencies regarding the application of 310-1 qualification/certification standards to local, non-federal resources, particularly during initial action. The following points summarize National Wildfire Coordinating Group (NWCG) policy.

- The 310-1 qualification/certification standards are mandatory only for national mobilization of wildland firefighting resources.
- During initial action, all agencies (federal, state, local and tribal) accept each other's standards. Once jurisdiction is clearly established, then the standards of the agency(s) with jurisdiction prevail.
- Prior to the fire season, federal agencies should meet with their state, local and tribal agency partners and jointly determine the qualification/certification standards that will apply to the use of local, non-federal firefighters during initial action on fires on lands under the jurisdiction of a federal agency.
- The Geographic Area Coordinating Group should determine the application of 310-1 qualification/certification standards for mobilization within the geographic area.
- On fire where a non-federal agency is also an agency with legal jurisdiction, the standards of that agency apply.

939 PAYMENT OF LOCAL GOVERNMENT RESOURCES: GUIDELINES FOR HIRING AND REIMBURSEMENT OF LOCAL GOVERNMENT FORCES WITHIN THEIR JURISDICTION

A. DIRECT PROTECTION

1. Suppression

Local Government Forces (LGF) working within their legal jurisdiction will not be reimbursed by recognized wildland fire protection agencies for duties mandated by statute, the organization's by-laws, resolution, standard operating procedures, etc., or services normally provided by the LGF, unless there are exceptions specifically provided for in the local annual operating plan and/or mutual aid agreements. In areas of DNRC Direct Protection with overlapping jurisdiction, LGF may be reimbursed after the first twenty-four hours on an incident. Reimbursement within the first twenty-four hours must be specifically provided for in the Annual Operating Plan (AOP), Mutual Aid Agreement (MAA) and/or formal contract.

Examples of items that could be addressed in the annual operating plan include initial attack agreements and/or contracts for the early and late fire season when DNRC staffing does not allow for an appropriate response, authorization to hire LGF resources to remain on an incident after the LGF standards have been met, agreement on roles and responsibilities for extended attack and project fires, mutual aid, and pre-suppression severity availability.

2. **Presuppression**

Presuppression severity availability may be approved when the planning level requires a measured increase of the available resources required to respond in a timely manner to avert loss to life and natural resources. LGF may be provided presuppression severity reimbursement within their jurisdiction when the LGF is clearly performing the DNRC's mission.

Examples:

Hiring the appropriate number LGF **personnel** (EFFs) to staff a fire station to be prepared to respond to a wildland fire incident that is within DNRC's jurisdictional responsibility (PL 4 or 5). The LGF personnel will be in pay status for the duration of the period they are performing DNRC-assigned duties. The LGF will not be reimbursed for apparatus until it is dispatched to a wildland fire incident as per the suppression guidelines above. The apparatus must have a pre-existing EERA and will be reimbursed as per IIBMh. In this scenario, these individuals may be available to respond to incidents other than wildland fires that are within the LGF's responsibility, providing that the LGF and the DNRC have agreed on a plan that clearly outlines items such as notification, backfill, and ensures the individuals are removed from pay status for the duration of these types of incidents.

LGF resources (personnel and apparatus) hired to bolster DNRC capabilities when pre-suppression severity availability is approved (PL 4 or 5) will be reimbursed at the full rate providing that these resources are under the control of the DNRC and are performing the DNRC's mission. These resources may be released to respond to incidents that are the responsibility of the LGF. The DNRC may backfill with other available resources and has no responsibility to rehire the LGF.

Note: DNRC is not authorized to make payments directly to local Fire Service Organizations. Per Montana Code Annotated (MCA 17-8-311), "All payments made by a state agency to any city, town, county, or local government entity must be payable to the finance officer of the appropriate city, town, or county."

B. COUNTY CO-OP COST RECOVERY OPTIONS

1. **County may request fire suppression assistance under the terms of the State/County Coop Fire Agreement.**
 - a. County resources must be fully committed within their jurisdiction and retain command or enter unified command (the county should provide a line officer or line officer representative).
 - b. County commissioners verbally contact local DNRC Land Office to request assistance under the agreement.
 - c. County Commissioners submit a formal letter to State Forester requesting assistance and support within 48 hours following verbal request.
 - d. County is responsible for their costs with in county.
 - e. County is responsible for any costs accrued through Mutual Aid Agreements.
 - f. DNRC will be responsible for eligible resources ordered outside of the county.
 - g. DNRC will be responsible for eligible resources ordered within the county provided, that they are autonomous of the county government.
2. **County may request Governor's declaration for reimbursement of eligible county fire suppression costs.**
 - a. County requested assistance through DNRC via State/Co Coop program, which established beginning of eligibility period.
 - b. The county invokes the emergency 2-mill levy.
 - c. County requests Governor's declaration for reimbursement of eligible county fire suppression costs through DES.
 - d. DES administers oversight and distribution of state emergency funds to requesting county.
3. **County may request FEMA fire management assistance grant through the State.**
 - a. State must meet threshold costs.

- b. DNRC, on behalf of county, submits fire management assistance application to FEMA.
- c. County submits subgrantee application (FEMA Form 90-133, Nov 02) to State within 30 days of closure of incident period.
- d. If DNRC grant were to be approved, the county as subgrantee would be eligible for reimbursement of 75% of eligible costs.

Reimbursement of Local Government Forces within their Jurisdiction applies only to Wildland Fires in Areas within DNRC Direct Protection and only when it is identified in the Annual Operating Plan or other agreements identified above, or it exceeds the 24-hour commitment.

Guidelines for Hiring and Reimbursement of Local Government Forces within their Jurisdiction

